

DEED NOTICE

IN ACCORDANCE WITH N.J.S.A. 58:10B-13, THIS DOCUMENT IS TO
BE RECORDED IN THE SAME MANNER AS ARE DEEDS AND OTHER
INTERESTS IN REAL PROPERTY.

Prepared by:

Eugene A. Thomas
[Signature]

Eugene A. Thomas - Director Support Services
[Print name below signature]

Recorded by:

[Signature, Officer of County Recording Office]

[Print name below signature]

1 4 1 0 4 2
Recorded/Filed 62.00
Passaic County Register
04/19/2000 11110 EA

R&R
Pitney Hardin Kipp & Buch
PO Box 1945
Morristown, NJ 07962-7822

EXM D--166PG001

1

CRYSTAL BOURN CORP./DEEDS-RECORD-1/19/99

This Deed Notice is made as of the eighth day of March, 2000, by Givaudan Roure Corporation, 300 Waterloo Valley Road, Mount Olive, New Jersey (together with their successors and assigns, collectively "Owner").

WITNESSETH:

WHEREAS, Owner is the owner in fee simple of certain real property designated as Givaudan Roure Corporation, Tax Block 73.03 and Lot 2.02 on the tax map of the City of Clifton, Passaic County, New Jersey Department of Environmental Protection Known Contaminated Site List Number 3219, more particularly described on Exhibit A attached hereto and made a part hereof (the "Property"); and

WHEREAS, the lead program during the remediation was Bureau of Case Management and the program identification number was 97404 and Case ID #NJD002156354; and

WHEREAS, the New Jersey Department of Environmental Protection ("Department") approved a remedial action on 11 December 1996 for Givaudan Roure Corporation, Administrative Consent Order for TCDD (dated 5 March 1987) concerning the Property in which the Department has approved the use of institutional controls and engineering controls in accordance with N.J.S.A. 58:10B-13; and

WHEREAS, this Deed Notice itself is not intended to create any interest in real estate in favor of the Department, nor to create a lien against the Property, but merely is intended to provide record or deed notice of certain conditions and restrictions on the property and to reflect the regulatory and statutory obligations imposed as a condition of using institutional and/or engineering controls; and

WHEREAS, the areas described on Exhibit B attached hereto and made a part hereof (the "Affected Areas") contain contaminants above the applicable remediation standards that would allow for the unrestricted use of the Property; and

WHEREAS, the type, concentration and specific location of the contaminants are described on one or more diagrams, maps and/or tables on Exhibit B attached hereto and made part hereof; and

WHEREAS, a narrative description of all institutional controls is provided in Exhibit C; and

EDM

D - 166PG002 2

GIVAUDAN ROURE CORP./20000308-1/1/00

WHEREAS, a narrative description of engineering controls and associated monitoring and maintenance activities is provided in Exhibit C; and

WHEREAS, to prevent the potential for migration of the contaminants and unacceptable risk of exposure to the contamination to humans or the environment, an impermeable surface cover is in place at the Property, at the locations shown on Exhibit D; and

WHEREAS, to prevent the potential for unacceptable exposure to the contamination to humans or the environment, a fence, posted sign(s), a liner, and an engineered cap is in place at the Property, at the locations shown in Exhibit D on maps or diagrams; and

WHEREAS, in accordance with the Department's approval of the Site Investigation and Remedial Action Report for the Property, and in consideration of the terms and conditions of that approval, and other good and valuable consideration, Owner has agreed to subject the Property to certain statutory and regulatory requirements which impose restrictions upon the use of the Property, and to restrict certain activities at the Property, as set forth below.

NOW, THEREFORE, Owner agrees to the conditions and restrictions listed below and hereby notifies all interested parties, owners, lessees and operators that the applicable regulations and statutes require of such person while owning, leasing or operating the Property as follows:

1. **RESTRICTED USES.** The owner(s) of all or any fee interest in all or any portion of the Affected Areas and each operator of all or any portion of the Affected Areas, shall not allow any of the following uses of the following portions of the Affected Areas:

Portion of the Affected Area
The Affected Area as identified in Exhibit B.

Restricted Use
The affected area will be secured and restricted for storage, parking, or similar nonresidential use only, pursuant to paragraphs 2 and 3.

2. **EMERGENCIES.** In the event of an emergency which presents a significant risk to public health, safety, or the environment, the application of Paragraph 1 above may be temporarily and unilaterally suspended, by Owner, provided that the Owner:

1. Immediately notifies the Department of the emergency;

D--166PG003

3

CHAUHAN ROUSE CORP./2022.08.01-4/19/18

- ii. Limits both the actual disturbance and the time needed for the disturbance to the minimum reasonably necessary to adequately respond to the emergency;
- iii. Implements all measures necessary to limit actual or potential, present or future risk of exposure to humans or the environment to the residual contamination; and
- iv. Restores the Affected Areas to the pre-emergency conditions to the extent reasonably possible, and provides a report to the Department of such emergency and restoration efforts within ninety (90) calendar days after the end of the emergency.

3. ALTERATIONS, IMPROVEMENTS, AND DISTURBANCES.

- (a) Except as provided in Paragraph 2 above, no owner or operator shall make, or allow to be made, any alteration, improvement, or disturbance in, to, or about the Affected Areas which disturbs any engineering control or which creates an unacceptable risk of exposure of humans or the environment to contamination in the Affected Areas without first obtaining the express written consent of the Department. Nothing herein shall constitute a waiver of the Owner's or operator's obligation to comply with all applicable laws and regulations.
- (b) Notwithstanding subparagraph 3(a) above, the Department's consent is not required for any alteration, improvement, or disturbance provided the Owner or operator:
 - i. Provides for restoration of any disturbance of an engineering control to pre-disturbance conditions within sixty (60) calendar days after the initiation of the alteration, improvement or disturbance; and
 - ii. Does not allow an exposure level above those noted under Restricted Uses, provided that all applicable worker health and safety laws and regulations are followed during the alteration, improvement, or disturbance.

1004

D--166PG004

GVAUDAN ROUTER CORP./12126 MLN-1/17/10

4. ACCESS.

While this Deed Notice is in effect, the Owner agrees to allow the Department, its agents and representatives access to the property to inspect and evaluate the continued effectiveness of the institutional or engineering controls and to conduct additional remediation to ensure the protection of the public health and safety and the environmental.

5. NOTICE TO LESSEES AND OTHER HOLDERS OF PROPERTY INTERESTS.

Owner shall cause all leases, grants and other written transfers of interest in the Affected Areas to contain a provision expressly requiring all holders thereof to take the Property subject to the restrictions contained herein and to comply with all, and not to violate any of the conditions of this Deed Notice. Nothing contained in this Paragraph shall be construed as limiting any obligation of Owner to provide any notice required by any law, regulation or order of any governmental authority.

6. ENFORCEMENT OF VIOLATIONS.

The restrictions provided herein may be enforceable solely by the Department against any person who violates this Deed Notice. A violation of this Deed Notice shall not effect the status of the ownership of or title to the Property. To enforce violations of this Deed Notice, the Department may initiate one or more enforcement actions pursuant to N.J.S.A. 58:10-23.11u and require additional remediation and assess damages pursuant to N.J.S.A. 58:10-23.11g.

7. SEVERABILITY.

If any court of competent jurisdiction determines that any provision of this Deed Notice is invalid or unenforceable, such provision shall be deemed to have been modified automatically to conform to the requirements for validity and enforceability as determined by such court. In the event that the provision invalidated is of such a nature that this provision cannot be so modified, the provision shall be deemed deleted from this instrument as though it had never been included herein. In either case, the remaining provisions of this Deed Notice shall remain in full force and effect.

D--166PG005

DEMAND NOTES CORP. / 2225-0101-4 / 10/09

8. SUCCESSORS AND ASSIGNS.

This Deed Notice shall be binding upon Owner and upon Owner's successors and assigns while each is an owner or operator of the Property and the Department.

9. REQUIREMENT OF NOTIFICATION.

The Owner shall notify any person who intends to excavate on the property of the nature and location of any contamination existing on the property and of any conditions or measures necessary to prevent exposure to contaminants.

10. TERMINATION AND MODIFICATION.

(a) This Deed Notice shall terminate only upon filing of an instrument, executed by the Department, in the office of the County Register of Passaic County, New Jersey, expressly terminating this Deed Notice.

(b) Any person may request in writing at any time that the Department modify or terminate this Deed Notice or initiate termination proceedings based on, for example, a proposal that the Property does not pose an unacceptable risk to public health and safety or the environment. Within ninety (90) calendar days after receiving such a request the Department will either:

i. Approve the request and have the Owner:

Record with the office of the county recording officer a notice executed by the Department that the use of the Property is no longer restricted and the Deed Notice is terminated or record a modified Deed Notice delineating the new restrictions; and

Provide written notice to each municipality in which the Property is located, with a copy to the Department, of the removal or change of the restrictions contained herein: or

ii. Issue a written notification of intent to deny the request pursuant to (c) below.

D--166PG006⁶

CIVILIAN HOUSE CORP./122B.61.21-1/11/99

- (c) The Department will set forth in a notice of intent to deny a request to modify or terminate this Deed Notice the basis for its decision. The owner can respond to the intent to deny by providing new or additional information or data. The Department will review any such new or additional information or data and issue a final decision to grant or deny the request within sixty (60) calendar days after the Department's receipt of the owner's response.

IN WITNESS WHEREOF, Owner has executed this Deed Notice as of the date first written above.

ATTEST:

Givaudan Roure Corporation.

Givaudan Roure Corporation

[Name of Corporation]

By

David B. Johnson - Sr. Vice President Operations

[Print name below signature]

D--166PG007

7

GIVAUDAN ROURE CORP./2000.001-1/1/10

EXHIBIT A - METES AND BOUNDS DESCRIPTION OF PROPERTY

The Deed Notice covers the entirety of certain real Property designated as Tax Block 73.03 and Tax Lot 2.02 on the tax map of the City of Clifton, Passaic County, New Jersey consisting of approximately 1.10 acres. A metes and bounds description of the Property and a portion of the municipal tax map are attached hereto as Exhibit A-1.

545362A01022800

D--166PG008

All that certain tract of land situated and lying in the City of Clifton, County of Passaic, State of New Jersey being bound and more particularly described as follows:

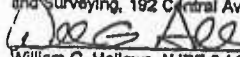
Beginning at a point which is in the southeasterly line of lands of Glvsudan Corp., said point is distant the following courses from the intersection of the northwesterly sideline of Boil Street and the southwesterly sideline of Dyer Avenue and running

- A. Along the southwesterly sideline of Dyer Avenue South $47^{\circ} 00' 00''$ East 50.00 feet to a point, thence
- B. Along the northwesterly line of Lot 30 in Block 73.03 South $43^{\circ} 00' 00''$ West 97.33 feet to a point, thence
- C. Along the southwesterly line of Lots 30, 32, 34, 36, 38, 40, 44, 46 & 48 in Block 73.03 South $47^{\circ} 15' 00''$ East 473.60 feet to a point, thence
- D. Along the northwesterly line of Lot 100 in Block 73.03 South $43^{\circ} 22' 50''$ West 127.50 feet to the point of Beginning and running thence
 1. Along the northwesterly line of Lot 101 and 100 in Block 73.03 South $43^{\circ} 22' 50''$ West 193.17 feet to the point, thence
 2. Along the northerly sideline of River Road South $86^{\circ} 00' 50''$ West 78.28 feet to a point, thence
 3. Along the easterly line of said Lot 2.01 North $3^{\circ} 59' 12''$ West 116.21 feet to a point in the northerly sideline of River Road, thence
 4. Along the now northeasterly line of said Lot 2.01 North $49^{\circ} 10' 52''$ West 106.88 feet to a point, thence
 5. Along the now southeasterly line of said Lot 2.01 North $40^{\circ} 42' 12''$ East 165.38 feet to a point, thence
 6. Along a new southwesterly line of Lot 2.01 in Block 73.03 South $49^{\circ} 15' 03''$ East 253.27 feet to the point and place of Beginning.

Containing 47,723 square feet; 1.10 acres more or less as described herein.

Subject to easements of record if any.

This description is in accordance with a map titled "Subdivision of Lot 2 Block 73.03, Delaware Avenue, City of Clifton, Passaic County, New Jersey" dated June 29, 1998 last revised November 23, 1998 prepared by Murphy and Hollows Associates, Civil Engineering and Surveying, 192 Central Avenue, Stirling, New Jersey 07980.


William G. Hollows, NJPE & LS #27473
December 23, 1998

D--166PG009

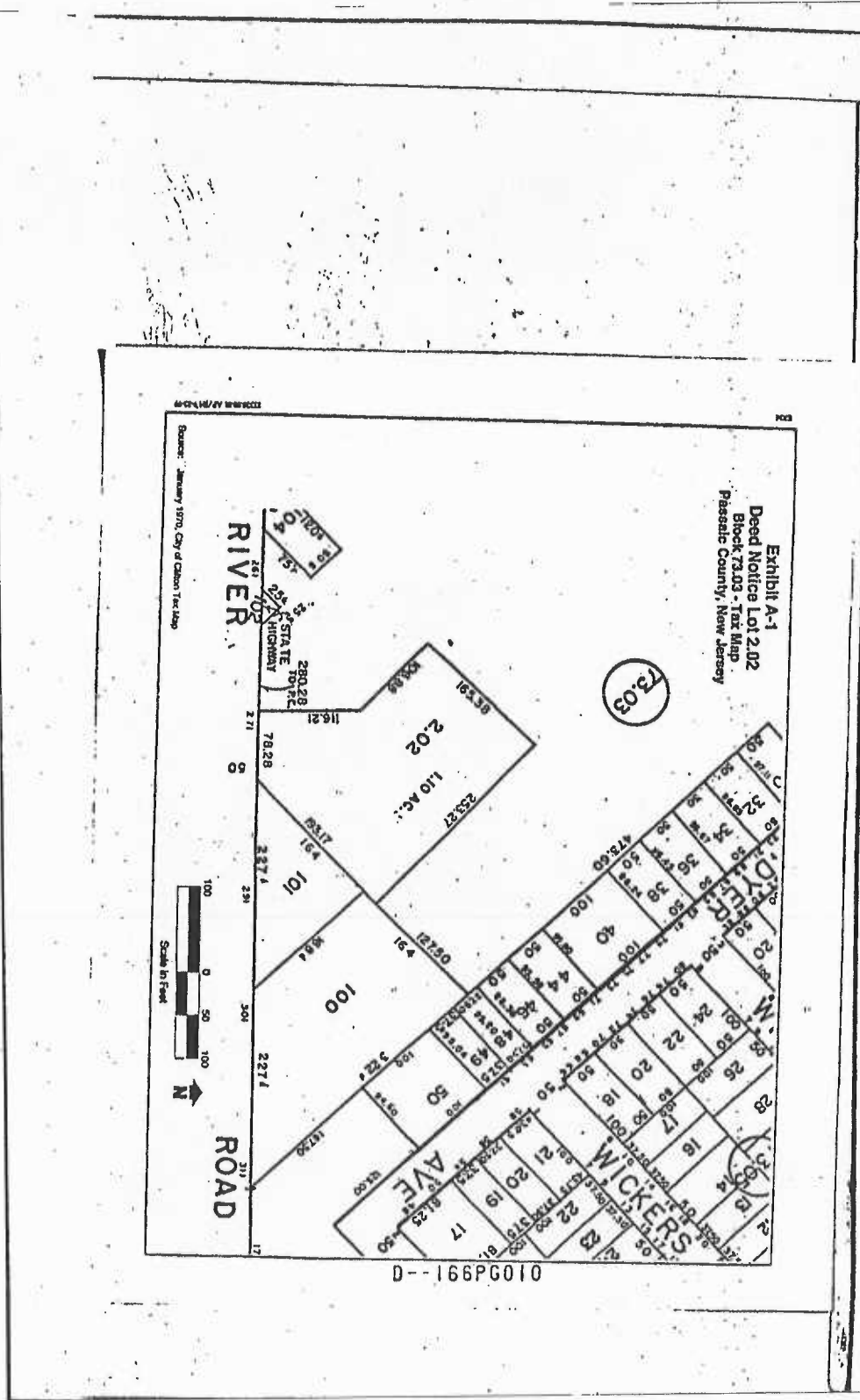


EXHIBIT B - DESCRIPTION OF THE AFFECTED AREA

The area subject to the restrictive covenant (hereinafter the Affected Area) is the real property designated as Tax Block 73.03 and Tax Lot 2.02. The Affected Area beneath this tax lot contains soils contaminated with 2,3,7,8-tetrachlorodibenzo-p-dioxin (Dioxin), which were excavated from the adjacent property and backfilled into a specifically designed Dioxin Containment Cell (hereinafter the Cell). The Affected Area and the design specifics of the Cell are shown on Exhibits B-1 through B-4.

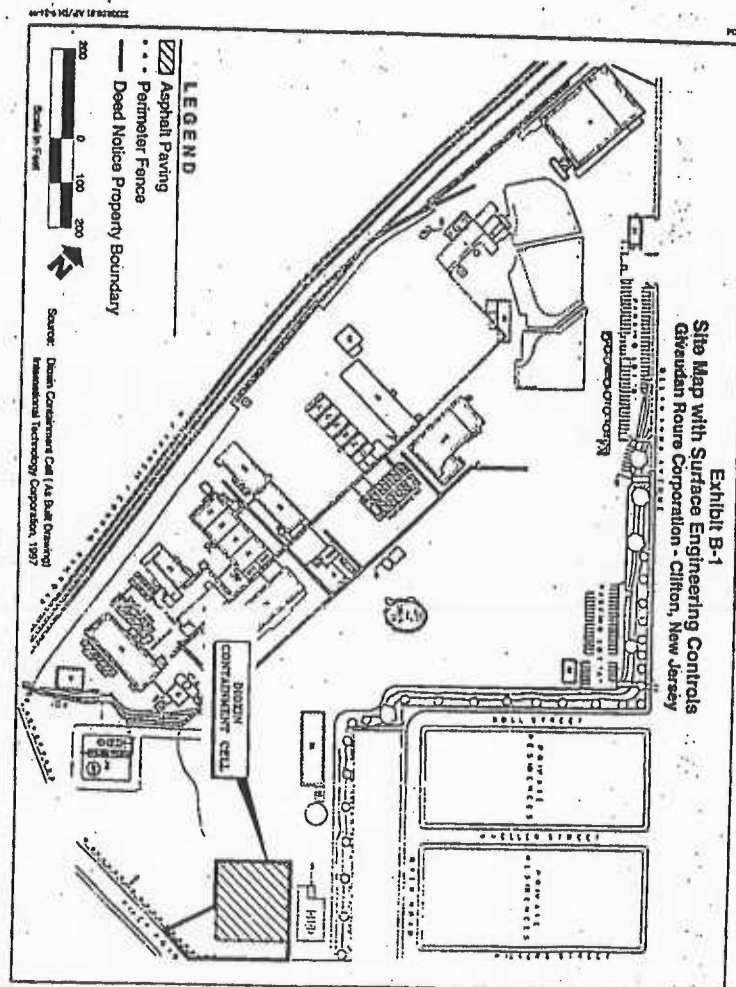
The Affected Area is bounded by River Road to the South and by the real property designated as Tax Block 73.03 and Tax Lot 2.01 in other directions. The Affected Area covers approximately 1.10 Acres, or 47,723 square feet, and fully encompasses the Cell. The Cell covers an area of 26,250 square feet and extends to a depth of 17 feet below grade. Approximately 6,750 cubic yards (8,775 tons) of Dioxin-containing soils were placed into the Cell. Soils with concentrations greater than 20 µg/Kg (up to 200 µg/Kg) were placed vertically and horizontally into the central portion of the Cell and surrounded by soils with concentrations between 1 and 20 µg/Kg. The location of the Dioxin-contaminated soils within the cell is shown in plan view on Exhibit B-2 and in bisecting cross-sectional views on Exhibits B-3 and B-4.

All analytical data, which characterize the soil in the cell, have been provided to the Department prior to submitting this Deed Notice. These data were collected consistent with the New Jersey Technical Requirements and analyzed by a New Jersey certified laboratory.

The Affected Area will utilize the engineering controls shown on Exhibits B-1 through B-4 to prevent contact with the soil in the cell. More specific information regarding the engineering controls and the monitoring and maintenance plan proposed for the Affected Area is provided in Exhibit C.

D-166PG011

CREATED BY: JESSIE COLE / 2/20/2014 11:28 AM



D--166PG012

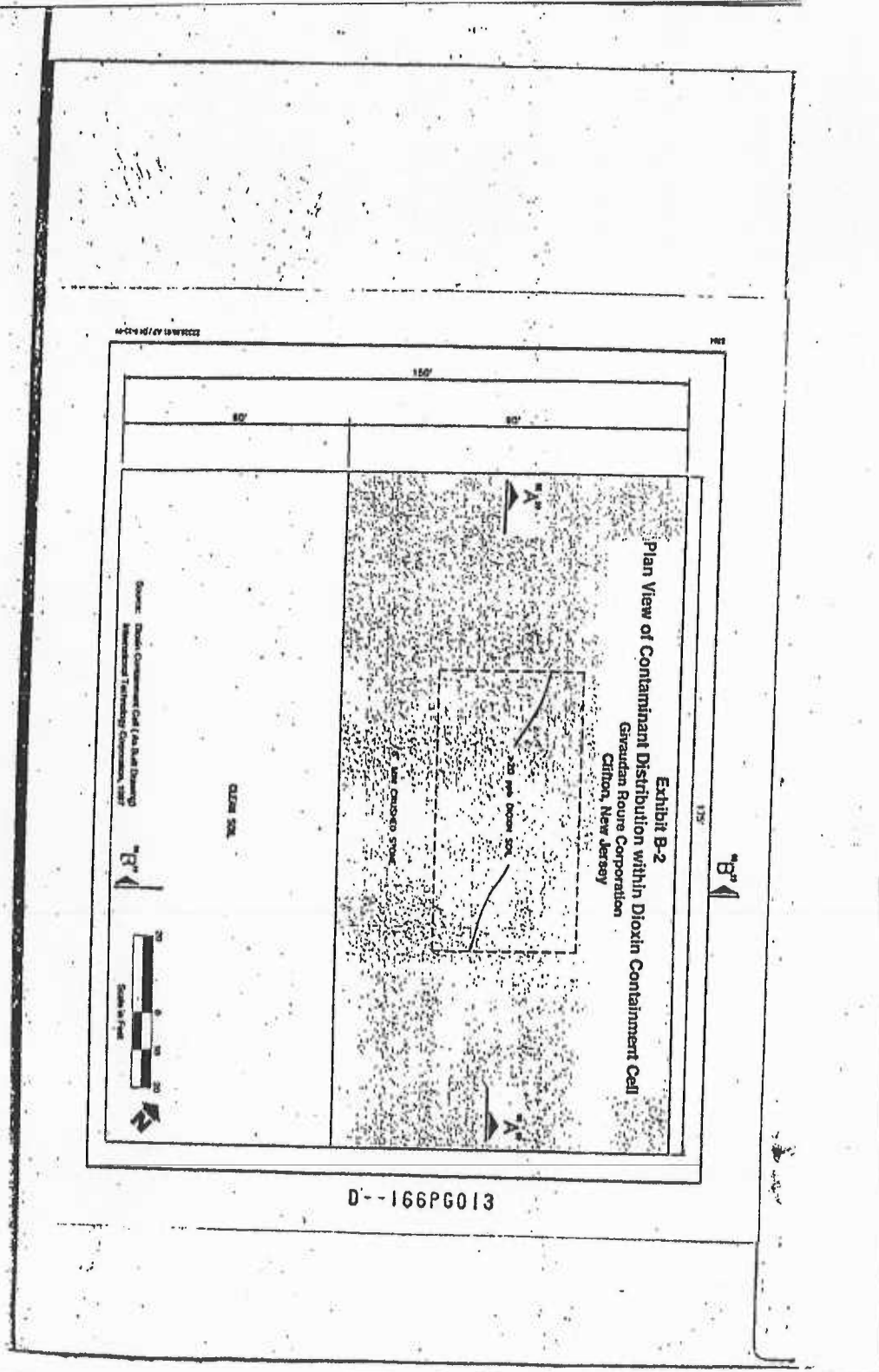


Exhibit B-3
Cross Section A-A
Contaminant Distribution within Dioxin Containment Cell
and Subsurface Engineering Controls
Givaudan Houre Corporation
Clifton, New Jersey

The diagram is a cross-section labeled 'A-A' showing the layers of a containment cell. From top to bottom, the layers are:

- 6" MUL. CRUSHED STONE
- WALL COATED CHAIN LINK FENCE
- 3" CLEAN SOIL
- 8' GE. NON-WOVEN GEOTEXTILE FABRIC (PAINT OVER TO SEAL TO SOIL)
- 12" DIOXIN CONTAMINATED SOIL (1-20 ppm DIOXIN 5%L)
- 12" HIGH-WOVEN GEOTEXTILE FABRIC (DOES NOT PERMIT)
- 1-12' ACTIVATED CARBON-SOIL (1" MESH) (THICKNESS)
- EXISTING GRADE

Dimensions shown:

- Top width: 17'
- Top width: 15'
- Bottom width: 12'

Scale bars:

- Vertical Scale in Feet: 0, 5, 10, 20
- Horizontal Scale in Feet: 0, 10, 20

Source: Dioxin Containment Cell (As Data Developed)
International Technology Corporation, 1997

D--166PG014

DATE: 11/14/2009



International Technology Corporation, 12877

**EXHIBIT C- DESCRIPTION OF INSTITUTIONAL AND ENGINEERING CONTROLS
AND MONITORING AND MAINTENANCE PLAN**

INSTITUTIONAL CONTROL

The Institutional Control in the area addressed by the Deed Notice is that the Affected Area shall not be used for residential purposes, and intrusive activities can not be initiated until the Department is contacted and informed in writing of the specific actions and planned end results of the intrusive work as spelled out in Section 3 of the Deed Notice. Residential land use restriction is a requirement of Paragraph 1 of the Deed Notice.

ENGINEERING CONTROLS

The Engineering Controls in place for the Affected Area consist of the Cell, the overlying asphalt paving, and the surrounding perimeter fence. The Cell construction involved the excavation of a 17-foot deep cell. The bottom and sides of the excavated cell were lined with a geotextile filter fabric which serves as a separation barrier between impacted and non-impacted soils and also functions to inhibit vertical migration of particles potentially mobilized by infiltration of surface water. As an added, secondary protection, approximately 1 to 3% by weight activated granular charcoal was placed above the bottom and on the sidewall geotextile fabric to create an adsorption barrier.

Following the aforementioned Cell preparation, Dioxin-impacted soils were placed into the cell and compacted to minimize settlement. Soils with concentrations greater than 20 mg/Kg were placed vertically and horizontally into the central portion of the Cell. Following the placement of all impacted soils within the Cell, the Cell was covered with a geotextile fabric, 24 inches of clean soil with an embedded vinyl coated chain link fence warning barrier, and six inches of crushed stone. To further prevent potential direct contact and surface water infiltration, an overlying asphalt surface has been installed according to approved Remedial Action Report (RAR) design specifications to provide a durable, low-permeability, supplemental barrier over the cell. Surrounding the asphalt covered Cell is a perimeter security system, consisting of 8 feet high, chain-link-fence with locking gates.

END

D--166PG016

QTYAUDAN ROUTES CORP./2008.05.01-1/19/09

These controls minimize the likelihood of migration of contaminants and unacceptable risk of exposure to humans or the environment. Engineering controls will be maintained as set forth below.

MONITORING AND MAINTENANCE PLAN

The Monitoring and Maintenance Plan describes the monitoring and maintenance activities for the engineering controls. The following program of routine inspections has been prepared to disclose conditions that might compromise the protective function of the asphalt paving that overlies the Cell.

A property management specialist, representing the owner, will semi-annually (a minimum of two times per year) inspect the surface of the asphalt pavement within the Affected Area, and the surrounding perimeter fence. The pavement will be evaluated for cracking, pitting, evidence of undermining (subsidence), heaving, or any other action that might compromise the integrity of the asphalt pavement and the underlying Cell. The perimeter fence will be evaluated to verify that the fence is in good condition, has no visible unauthorized access points or other breaches, will continue to limit access to the Affected Area, and that the gates are locked and the locks are in working condition.

In accordance with N.J.A.C. 7:26E-6.4(g), a certified monitoring report will be submitted to the NJDEP every two years. This report will include an evaluation of the effectiveness of the engineering and institutional controls, and will document the results of the semi-annual inspections conducted during the previous two years, including: what damage was noted, what repairs were or will be taken, and the schedule of future repair work.

If evidence of breaches or other unacceptable compromises in the integrity of the asphalt pavement or perimeter fence are detected, work necessary to restore the integrity of the engineering controls shall be initiated and performed (weather permitting and to the extent technically feasible) within 60 days after discovery of the need for such work.

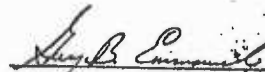
EPH

D - - 166PG017

CITY OF PASSAIC COUNTY / 11/13/2014

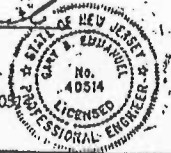
ENGINEER'S CERTIFICATION

I hereby certify that, in my professional opinion, the Cell along with the overlying asphalt pavement and perimeter fence, as constructed and maintained in accordance with this monitoring and maintenance plan, will mitigate the likelihood of direct contact with the soils within the Affected Area.



Gary B. Emmanuel, P.E.

NJPE Registration No. GE 40514

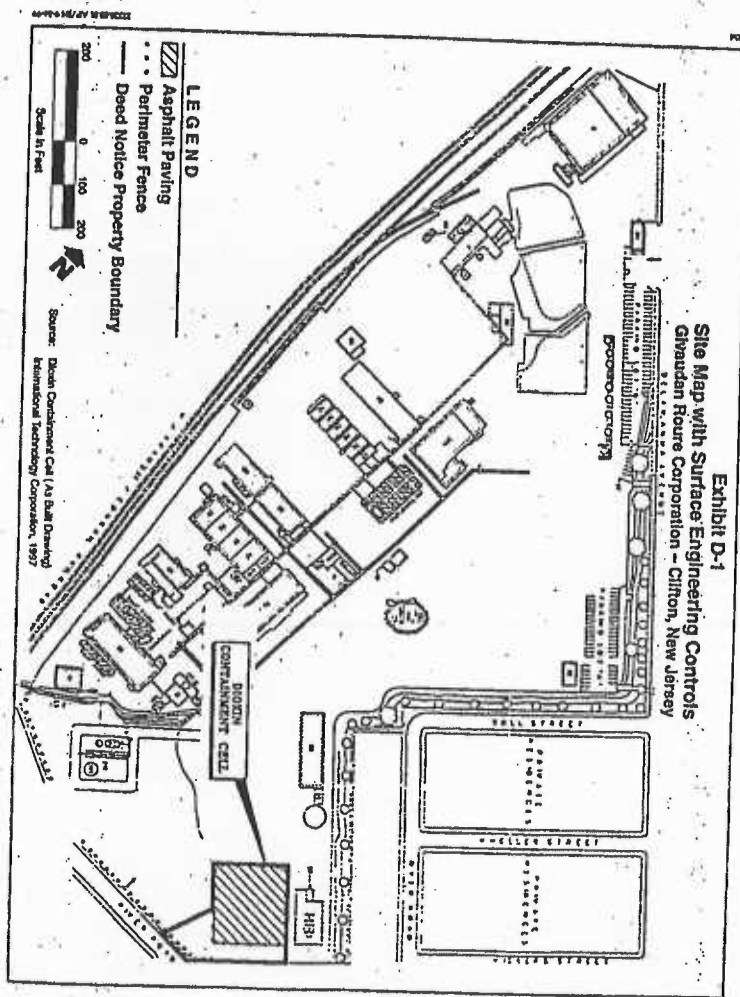


D--166PG018

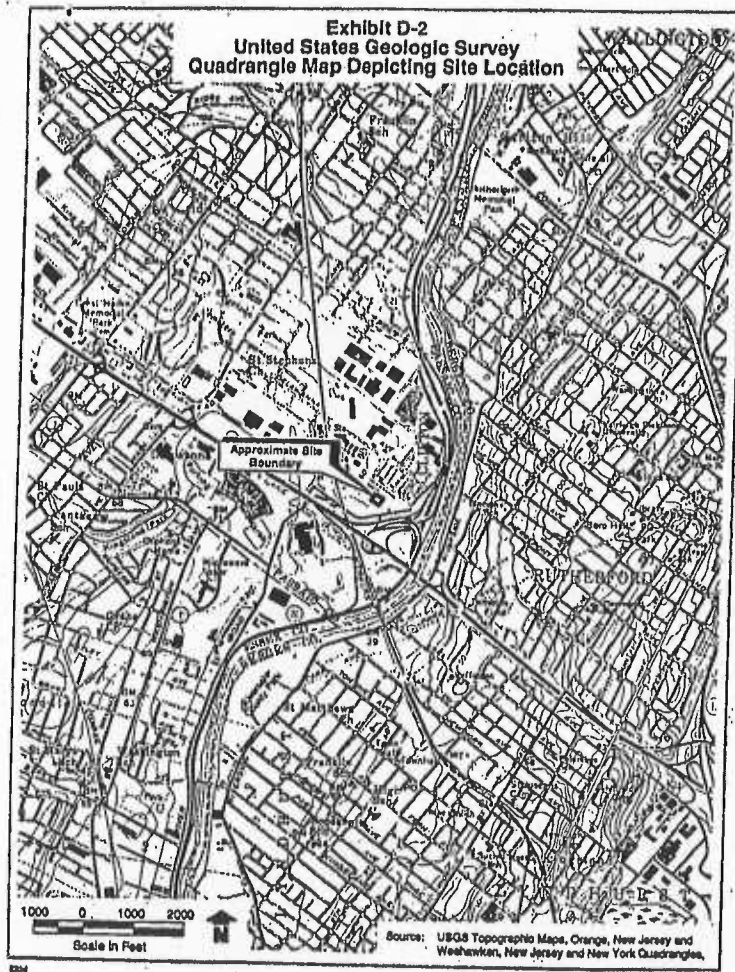
GEYAUDAN BONES CORP./2008.MRS-1/11/18

Exhibit D

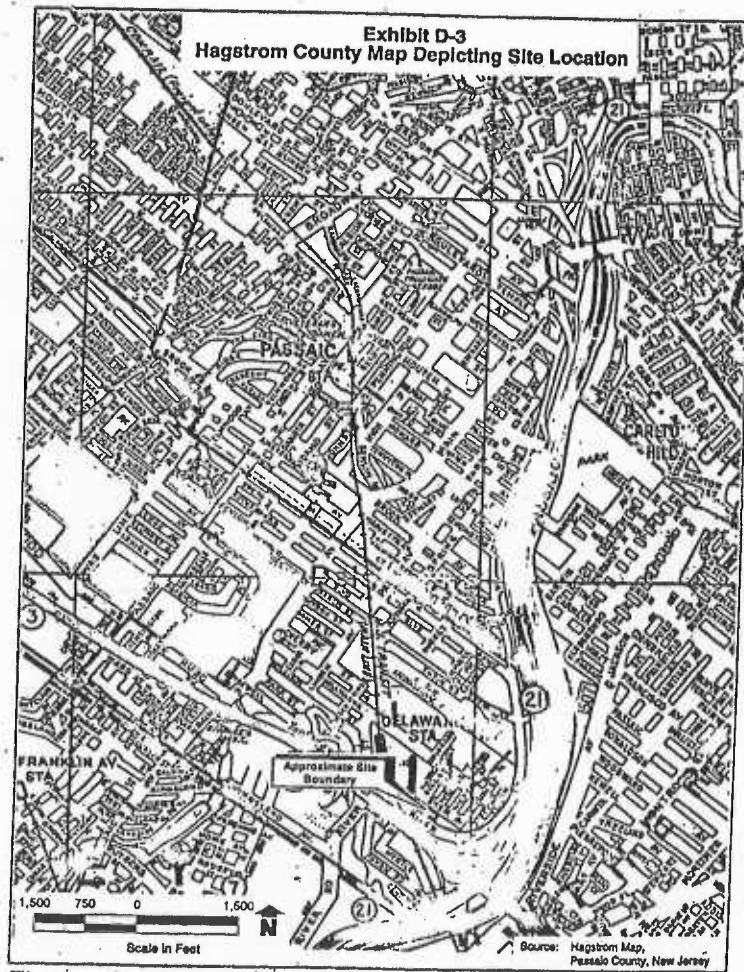
D--166PG019



0--16.6PG020



D--166PG021



D--166PG022

STATE OF New Jersey

COUNTY OF Morris

I certify that on March 8, 2000, Janetta Walls personally came before me, and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the secretary of Givaudan Roure, the corporation named in this document;
- (b) this person is the attesting witness to the signing of this document by the proper corporate officer who is the Senior Vice President of the corporation;
- (c) this document was signed and delivered by the corporation as its voluntary act and was duly authorized;
- (d) this person knows the proper seal of the corporation which was affixed to this document; and
- (e) this person signed this proof to attest to the truth of these facts.

Janetta Walls

Janetta Walls, Secretary

[Print name and title of attesting witness]

Signed and sworn before me on

March 8

20 00

E. Lucey Blum

Notary Public

[Print name and title]

E. LUCEY BLUM
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES MAY 13, 2000



804

D--166PG023 8

GIVAUDAN ROURE CORP./2000.03.08-3/4/00